

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTEGRATED HEALTH SERVICES OF  
CLIFF MANOR, INC., et al.,

Plaintiffs-Counterclaim Defendants,

V.

THCI COMPANY LLC,

**Defendant-Counterclaimant.**

Case No. 04-910

**CROSS-MOTION BY DEFENDANT THCI COMPANY LLC FOR  
PARTIAL SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56**

Defendant THCI Company LLC (“THCI”), by and through undersigned counsel, cross-moves (the “Cross-Motion”) pursuant to Fed. R. Civ. P. 56, for an order granting partial summary judgment in favor of THCI and against the Plaintiffs. The Cross-Motion is based upon and supported by the Defendant’s Memorandum of Law in Opposition to Motion by Plaintiffs for Partial Summary Judgment and in Support of Cross-Motion for Partial Summary Judgment, Declaration of Warren Cole dated June 14, 2005, and the exhibits attached hereto, all of which are being filed contemporaneously herewith.

Dated: June 14, 2005  
Wilmington, Delaware

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